

### **Remarks**

The Applicants have amended Claim 1 to recite that the electrically conductive layer (c) has a thickness of 0.06 to 0.12  $\mu\text{m}$ . Support may be found in the Applicants' Specification on page 28 at line 22, for example. Claim 5 has accordingly been cancelled. The Applicants have further amended Claim 1 to recite that the resin layer (d) has a thickness of 0.01 to 1.0  $\mu\text{m}$ . Support may be found in the Applicants' Specification on page 28, lines 23 and 24.

Entry of the above amendments to Claim 1 and cancellation of Claim 5 into the official file is respectfully requested.

Claims 1-6 and 11-21 stand rejected under 35 USC §103 as being obvious over a hypothetical combination of Yamada, Murata and Hasuo with Oka. The Applicants note with appreciation the Examiner's detailed comments hypothetically applying the combination against those claims. The Applicants nonetheless respectfully submit that even if one skilled in the art were to make the hypothetical combination, that combination would still result in subject matter that is different from Claims 1-4, 6 and 11-21. Reasons are set forth below.

The differences between the claimed subject matter and any hypothetical structures formed by a combination of the references is illustrated by reference to the language in the rejection itself, as well as the "Answers to Applicants' Argument" section of the Official Action. In that regard, the answers point to the Applicants' prior position that the Applicants' films are highly transparent, have excellent anti-reflection properties and are highly scratch resistant. The answers section, however, points out that the highly transparent, excellent antireflection properties and highly scratch resistant aspects are not explicitly stated in the claims.

The Applicants have directly addressed that point by combining the subject matter of Claim 5 with Claim 1 with respect to the thickness of layer (c) and the addition of the specified

thickness of resin layer (d). These thicknesses impact the above-mentioned properties. For example, the electrically conductive layer (c) has a thickness of 0.06 to 0.12  $\mu\text{m}$  and the resin layer (d) has a thickness of 0.01 to 1.0  $\mu\text{m}$ . These thicknesses directly impact the low reflectance properties referred to above. This is set forth in the Applicants' Specification such as on page 28, line 19 to page 29, line 4, as one example. In other words, the excellent low reflectance property achieved by the Applicants is brought about by the claimed layer thicknesses.

This is sharply contrasted to Oka. In that regard, the rejection states on page 5 that Oka "discloses that the electrically conductive layer (c) has a thickness of 0.01  $\mu\text{m}$  to 1.0  $\mu\text{m}$  (column 9, lines 63-67). The Applicants respectfully submit that this is incorrect. The Applicants have reproduced the text from Oka at column 9, lines 60-67 and column 10, lines 1 and 2.

The binder resin used in the antiglare layer may be any resin (for example, a thermoplastic resin, a thermosetting resin, or an ionizing radiation curing resin) so far as it is transparent. In order to impart hardness to the antiglare layer so that the final antiglare-antireflection film can have excellent hardness, the thickness of the antiglare layer is not less than 0.5  $\mu\text{m}$ , preferably not less than 3  $\mu\text{m}$ . The thickness falling within the above range enables the hardness to be maintained and can impact hardness to the antiglare-antireflection film.

Oka actually discloses that the antiglare layer (which corresponds in this instance to the electrically conductive layer (c) of the Applicants' claims) has a thickness of not less than 0.5  $\mu\text{m}$ , preferably not less than 3  $\mu\text{m}$ . In other words, the minimum is 3  $\mu\text{m}$ .

This fact brings several problems to light. First, it indicates an error in the rejection which states that the thickness is 0.01  $\mu\text{m}$  to 1.0  $\mu\text{m}$ . Actually, the thickness is "not less than 3  $\mu\text{m}$ ." The Applicants' claim an electrically conductive layer (c) having a thickness of 0.06 to 0.12  $\mu\text{m}$ . This range is clearly outside of the not less than 3  $\mu\text{m}$  limitation of the Oka antiglare

corresponding layer. Not only is the Applicants' claimed range outside of the Oka range, it is far outside of the outside range.

The other problem is that the thickness of the antiglare layer of Oka as described in column 9, is controlled for the purpose of establishing excellent hardness. Oka specifically teaches that a thickness falling within the specified range "enables the hardness to be maintained and can impart hardness to the antiglare, antireflection film." In other words, Oka manipulates the thickness to achieve excellent hardness.

This is sharply contrasted to the Applicants' motivation for controlling the thickness. The Applicants' motivation is to control the reflectance, as opposed to the hardness.

What does this mean? This means that one skilled in the art would not have any motivation to change the thickness of the antiglare layer with any reasonable expectation that it would have an impact on reflectance based on the teachings in Oka. Instead, the reasonable expectation would be an effect on hardness. Thus, one skilled in the art would not make the hypothetical combination when attempting to "improve the antifogging and antifouling properties of Oka to reduce the scattering of light (i.e. glare)" as recited in the last sentence of the Official Action. One skilled in the art would simply have no reasonable expectation of improving glare by looking to column 9 of Oka which is directed to improving hardness.

In any event, the Applicants respectfully submit that even if one skilled in the art did make the hypothetical combination, the resulting thickness would be sharply different. Oka teaches a thickness not "less than 0.3  $\mu\text{m}$ " while the Applicants claim a thickness of 0.06 to 0.12  $\mu\text{m}$ . There is no overlap and the differences are in fact quite sharp and quite large. The Applicants therefore respectfully submit that the rejection based on the hypothetical

combination of Yamada, Murata and Hasuo with Oka cannot be sustained. Withdrawal of the rejection is respectfully requested.

In light of the foregoing, the Applicants respectfully submit that the entire Application is now in condition for allowance, which is respectfully requested.

Respectfully submitted,



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